



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 121** HLS 10RS 733

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 8, 2010	8:24 AM	Author: MILLS, FRED
Dept./Agy.: Corrections		
Subject: Controlled Dangerous Substances		Analyst: Matthew LaBruyere

CONTROLLED SUBSTANCES

EG INCREASE GF EX See Note

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Amends the composition of schedules for controlled dangerous substances

The proposed legislation adds certain drugs to Schedules I through V while retaining the present law. The penalty for Schedule I substances for intent to produce, manufacture, or distribute is imprisonment at hard labor for not less than 5 years nor more than 10 years and a fine of not more than \$50,000; and the penalty for possession is imprisonment at hard labor for not more than 10 years, and may in addition, be required to pay a fine of not more than \$5,000. The penalty for Schedules II, III, IV, and V substances for intent to produce, manufacture, or distribute is imprisonment at hard labor for not more than 10 years, and may in addition, be required to pay a fine of not more than \$15,000; and the penalty for possession is imprisonment with or without hard labor for not more than 5 years and, in addition, may be sentenced to pay a fine of not more than \$5,000.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation could result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not possible to know many people will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$54.49. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

Also, according to the Louisiana Board of Pharmacy, the proposed legislation places no new requirements on the Board. The bill seeks to add new drugs already found on federal schedules so there will be no measurable impact on the Board.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, any revenue generated through the imposition of fines created by this legislation would accrue to local government entities.

Senate

☐ 13.5.1 >= \$500,000 Annual Fiscal Cost

☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House

☐ 6.8(F) >= \$500,000 Annual Fiscal Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

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